

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

06/04/2002

CLERK OF THE COURT
FORM V000A

HONORABLE MICHAEL D. JONES

P. M. Espinoza
Deputy

CV 2002-001174

FILED: _____

PETER COSTANTINO

PETER COSTANTINO
35 S 83RD PLACE
MESA AZ 85208-0000

v.

PHOENIX ALARM

JAMES M MAROVICH

PHX JUSTICE CT-E2
REMAND DESK CV-CCC

MINUTE ENTRY

This Court has jurisdiction of this Civil appeal pursuant to the Arizona Constitution Article VI, Section 16, and A.R.S. Section 12-124(A).

This matter has been under advisement since the date of oral argument on June 3, 2002. This Court has considered the record of the proceedings from the East Phoenix #2 Justice Court, the Memoranda and arguments submitted by the parties and counsel.

This case involves a civil appeal from the trial court's denial of Appellant/Plaintiff's Motion for Reconsideration. The trial court denied Appellant/Plaintiff's Motion for Reconsideration on November 21, 2001. The Notice of Appeal was filed on December 24, 2001, more than 30 days after the order from which the Appellant seeks relief.

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Rule 9, Superior Court Rules of Appellate Procedure-Civil
provides in subsection A:

A written Notice of Appeal required
by Rule 8 of these rules shall be filed
with the trial court and served by Appellant
upon all other parties not later than ten
(10) days after Notice of Entry of Judgment
is mailed by the trial court to the parties
or their attorneys. A Notice of Cross Appeal
may be filed by an opposing party within ten
(10) days from the date the Notice of Appeal
is served. The Notice of Appeal shall be
endorsed on its face by the trial court when
received, with date of receipt.

This Court also notes that the judgment itself was signed by the
trial judge on August 27, 2001.

Appellant's Notice of Appeal was not timely filed in this
case. No timely Notice of Appeal having been filed,

IT IS ORDERED dismissing this appeal and denying the relief
requested.

IT IS FURTHER ORDERED remanding this matter back to the
East Phoenix #2 Justice Court for all further and future
proceedings in this case.